

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

DWAYNE E. LOUCKS,	:	CIVIL ACTION NO. 1:04-CV-0366
	:	
Plaintiff	:	(Judge Conner)
	:	
v.	:	
	:	
JASON JAY, et al.,	:	
	:	
Defendants	:	
	:	

ORDER

AND NOW, this 27th day of April, 2007, upon consideration of the *in camera* documents submitted by defendants, as well as the letter briefs submitted by the parties (Docs. 156-57), and the court having undertaken review and analysis of the documents in accordance with FED. R. EVID. 401-403 and 404(b), it is hereby ORDERED that:

1. Defendants shall produce, on or before May 9, 2007, the following documents for plaintiff's review:
 - a. The City of York Human Resources Department performance evaluations of Officer Jay's work performance for employment period January 2001 through December 2005.
 - b. The City of York Human Resources Department performance evaluations of Officer Leitzel's work performance for employment period January 2000 through December 2005.
 - c. York City Police Department Use of Force Report generated as a result of the September 29, 2002 incident involving plaintiff. Defendants will not be required to produce any use of force reports that post-date the incident.
 - d. York City Police Department Internal Affairs file concerning the September 29, 2002 incident involving plaintiff. Defendants will not be required to produce any internal affairs files that post-date the incident.

2. With regard to the use of force reports and internal affairs file that pre-date the September 29, 2002 incident, and it appearing that defendants would like the opportunity to assert any applicable privilege (Doc. 156), defendants are afforded until May 9, 2007, to file appropriate documents. Defendants shall also address whether producing redacted copies of the requested reports and file would satisfy defendants' concerns.
3. Plaintiff shall respond on or before May 23, 2007.

S/ Christopher C. Conner
CHRISTOPHER C. CONNER
United States District Judge